

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 20—Division of Community and Public Health
Chapter 28—Immunization

PROPOSED AMENDMENT

19 CSR 20-28.010 Immunization Requirements for School Children. The department is amending sections (1), (2), and (3); and deleting section (4) and the forms which follow the rule in the *Code of State Regulations*.

PURPOSE: This rule amendment revises the requirements for school children to include meningococcal vaccine for students in eighth grade and a booster dose for students in twelfth grade. Also, the amendment clarifies requirements and incorporates by reference required forms and supporting documents.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) [As mandated by section 167.181, RSMo, each superintendent of a public, private, parochial, or parish school shall have a record prepared showing the immunization status of every child enrolled in or attending a school under the superintendent's jurisdiction.] The [school] superintendent of **each public, private, parochial, or parish school** shall make a summary report to the Department of Health and Senior Services no later than October 15 of each school year. This date is necessitated by the law which prohibits the enrollment and attendance of students who are in noncompliance. This report shall include aggregate immunization information by grade [or age] by vaccine antigen, number of students enrolled, number of students in compliance with state immunization requirements, number of students in progress, number of students with signed medical exemption, number of students with signed religious exemption, number of students noncompliant with immunization record, and number of students with no immunization record. Each school superintendent or designee shall submit a summary report for all schools under the administrator's jurisdiction. Separate reports for each school should not be submitted, although separate lists shall be maintained in each school for auditing purposes.

(A) Exclusion of students in noncompliance, section 167.181, RSMo. Students cannot attend school unless they are properly immunized and can provide satisfactory evidence of the immunization or unless they are exempted. The school administration shall exercise its power of pupil suspension or expulsion under section 167.161, RSMo, and possible summary suspension under section 167.171, RSMo, until the violation is removed. Transfer students in noncompliance shall not be permitted to enroll or attend school. Students [who were] enrolled during the previous school year shall be denied attendance for the current school year if not in compliance. Under section 160.2000, RSMo, children of military families shall be given thirty (30) days from the date of enrollment to obtain any required immunization, or initial vaccination for a required series of immunizations. A student determined to be homeless by school officials may be enrolled in school for no more than thirty (30) days prior to

providing satisfactory evidence of immunization. If the homeless student's immunization record is not obtained within the thirty (30) days and the student is still eligible for services under the homeless education program, the student *[must]* **shall** begin the immunization series and demonstrate that satisfactory progress has been accomplished within ninety (90) days. If the homeless student is exempted from receiving immunizations, then after the initial thirty- (30-) day enrollment, the student *[must]* **shall** provide documentation in accordance with the exemption requirements included herein. For the purpose of this paragraph, a homeless student shall be defined as a student who lacks a fixed, regular, and adequate nighttime residence; or who has a primary nighttime residence in a supervised publicly or privately operated shelter or in an institution providing temporary residence or in a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.

(B) This rule is designed to govern any student, regardless of age, who is attending a public, private, parochial, or parish school. If the specific age or grade recommendations are not mentioned within this rule, the Missouri Department of Health and Senior Services should be consulted.

(C) It is unlawful for any student to attend school unless the student has been immunized according to this rule or unless a signed statement of medical or religious exemption is on file with the school administrator. In the event of an outbreak or suspected outbreak of a vaccine-preventable disease within a particular facility, the administrator of the facility shall follow the control measures instituted by the local health authority or the Department of Health and Senior Services pursuant to 19 CSR 20-20.040.

1. Medical exemption. A student shall be exempted from the immunization requirements of this rule as provided in section 167.181, RSMo, upon signed certification by a licensed doctor of medicine (MD), doctor of osteopathy (DO), or his or her designee indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of disease or laboratory evidence of immunity to the disease. The **exemption shall be provided on an original** Department of Health and Senior Services' form Imm.P.12¹, *included herein,* **and** shall be placed on file with the school immunization health record for each student with a medical exemption. **The Imm.P.12 form is incorporated by reference in this rule as published June 2012 by the Department of Health and Senior Services and may be obtained by contacting a medical provider, local public health agency or the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. This rule does not incorporate any subsequent amendments or additions.** This need not be renewed annually.

2. Religious exemption. A student shall be exempted from the immunization requirements of this rule as provided in section 167.181, RSMo, if one (1) parent or guardian objects in writing to the school administrator that immunization of that student violates his/her religious beliefs. This exemption **must be provided on an original** Department of Health and Senior Services' form Imm.P.11A, *included herein,* **and** shall be signed by the parent or guardian and placed on file with the school immunization health record. **The Imm.P.11A form is incorporated by reference in this rule as published April 2012 by the Department of Health and Senior Services and may be obtained by contacting a medical provider, local public health agency or the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. This rule does not incorporate any subsequent amendments or additions.** This need not be renewed annually.

3. Immunization in progress. Section 167.181, RSMo, provides that students may continue to attend school as long as they have started an immunization series and provide satisfactory evidence indicating progress is being accomplished. **An original** Department of Health and Senior Services' form Imm.P.14², *included herein,* shall be completed and placed on file with the school immunization

health record of each student with immunizations in progress. **The Imm.P.14 form is incorporated by reference in this rule as published June 2012 by the Department of Health and Senior Services and may be obtained by contacting a medical provider, local public health agency or the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. This rule does not incorporate any subsequent amendments or additions.** Failure to meet the next scheduled appointment constitutes noncompliance with the school immunization law and exclusion shall be initiated immediately. Refer to subsection (1)(A) of this rule regarding exclusion of students in noncompliance.

(2) *[For school attendance, students shall be immunized against vaccine-preventable diseases as established by the Department of Health and Senior Services and provide required documentation of immunization status.]* **Review of immunization requirements for school entry shall be conducted annually by each school superintendent or designee.** Age- or grade-appropriate vaccine requirements shall be according to **the Missouri School Immunization Requirements Vaccines Received 0-18 Years of Age, published on April 2014 or the Centers for Disease Control and Prevention's Catch-up Immunization Schedule for Persons Aged 4 Months through 18 Years Who Start Late or Who Are More Than 1 Month Behind, published January 2014.** These schedules are incorporated by reference in this rule and are available on the Department of Health and Senior Services website at <http://health.mo.gov/immunizations/schoolrequirements.php> or by contacting the department's Bureau of Immunization Assessment and Assurance at PO Box 570, Jefferson City, MO 65102-0570, or by calling 800-219-3224. **This rule does not incorporate any subsequent amendments or additions** *[the attachments listed in section (4), which are included herein. Review of immunization requirements for school entry shall be conducted annually by each school superintendent or designee. Proposed revisions to the immunization requirements shall be recommended by the State Advisory Committee on Childhood Immunizations and the State Board of Health and be made available by the Department of Health and Senior Services by May 1 of each calendar year].* Revisions to school immunization requirements shall be required for school attendance one (1) full year after publication in the Code of State Regulations, beginning with the first day of school of that school year.

[(A) One (1) dose of varicella vaccine shall be required for all students starting kindergarten as of and after the beginning of the 2005–2006 school year through the end of the 2009–2010 school year.

(B) Two (2) doses of varicella vaccine shall be required for all students starting kindergarten as of and after the beginning of the 2010–2011 school year.

(C) One (1) dose of Tdap (tetanus, diphtheria, and pertussis) vaccine shall be required for all students starting eighth grade as of and after the beginning of the 2010–2011 school year.]

(3) The parent or guardian shall furnish the superintendent or designee satisfactory evidence of immunization or exemption from immunization.

(A) Satisfactory evidence of immunization means a statement, certificate, or record from a physician or his or her designee, other recognized health facility, immunization registry, school record, or child care record stating that the required immunizations have been given to the person and verifying the type of vaccine. This statement, certificate, or record shall provide documentation of the specific antigen and the month, day, and year of vaccine administration. *[However, if a student starting kindergarten as of and after the beginning of the 2010–2011 school year has had varicella (chickenpox) disease, a licensed healthcare provider (e.g., school or occupational clinic nurse, nurse practitioner, physician assistant, physician) may sign and place on file with the superintendent or designee a written statement documenting previous varicella (chickenpox) disease. For students starting kindergarten as of and*

after the beginning of the 2005–2006 school year through the end of the 2009–2010 school year, the parent or guardian or a licensed doctor of medicine (MD) or doctor of osteopathy (DO) or his or her designee may sign and place on file with the superintendent or designee a written statement documenting previous varicella (chickenpox) disease. The statement may contain wording such as: “This is to verify that (name of student) had varicella (chickenpox) disease on or about (date) and does not need varicella vaccine.”

(4) Immunization schedule requirements for students shall be—

(A) Missouri School Immunization Schedule Vaccines Received 0–6 Years of Age, included herein;

(B) Missouri School Immunization Schedule Vaccines Received 7–18 Years of Age, included herein; and

(C) Catch-up Immunization Schedule for Persons Aged 4 Months–18 Years Who Start Late or Who Are More Than 1 Month Behind, included herein.]

AUTHORITY: section 192.006, RSMo 2000, and sections 167.181 and 192.020, RSMo Supp. [2011] **2014.** * This rule was previously filed as 13 CSR 50-110.010. Original rule filed April 24, 1974, effective May 4, 1974. Rescinded and readopted: Filed April 17, 1980, effective Aug. 11, 1980. Amended: Filed Feb. 1, 1983, effective May 12, 1983. Amended: Filed Oct. 3, 1986, effective Dec. 25, 1986. Amended: Filed July 1, 1987, effective Sept. 11, 1987. Amended: Filed Aug. 4, 1988, effective Oct. 13, 1988. Amended: Filed May 31, 1989, effective Aug. 24, 1989. Amended: Filed Nov. 2, 1990, effective March 14, 1991. Amended: Filed April 2, 1991, effective Aug. 30, 1991. Amended: Filed Nov. 4, 1992, effective Aug. 1, 1993. Emergency amendment filed July 12, 1993, effective Aug. 1, 1993, expired Sept. 9, 1993. Amended: Filed April 5, 1993, effective Sept. 9, 1993. Emergency amendment filed May 3, 1994, effective May 13, 1994, expired Sept. 9, 1994. Emergency amendment filed July 28, 1994, effective Aug. 6, 1994, expired Dec. 3, 1994. Amended: Filed April 18, 1994, effective Nov. 30, 1994. Amended: Filed May 3, 1994, effective Nov. 30, 1994. Emergency amendment filed Nov. 29, 1994, effective Dec. 8, 1994, expired April 6, 1995. Amended: Filed Aug. 15, 1994, effective Feb. 26, 1995. Amended: Filed Aug. 16, 1996, effective Jan. 30, 1997. Amended: Filed Jan. 14, 1999, effective July 30, 1999. Amended: Filed Sept. 16, 2002, effective Feb. 28, 2003. Amended: Filed Sept. 23, 2003, effective April 30, 2004. Amended: Filed Oct. 1, 2008, effective March 30, 2009. Amended: Filed Nov. 30, 2011, effective June 30, 2012. Amended: Filed

*Original authority: 167.181, RSMo 1963, amended 1972, 1973, 1992, 1993, 1995, 1996, 2001; 192.006, RSMo 1993, amended 1995; and 192.020, RSMo 1939, amended 1945, 1951, 2004.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions eighty-six thousand five hundred sixty-two dollars (\$86,562) annually in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities three million two hundred ninety-three thousand one hundred nineteen dollars (\$3,293,119) annually in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support or in opposition to this proposed amendment with the Missouri Department of Health and Senior Services, Division of Community and Public Health, Harold Kirbey, Division Director, PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

